

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

November 23, 2010

Relates to Item #12

In 1996 California Voters approved the "Compassionate Use Act of 2006" that allowed cancer patients, AIDS patients, and others with a true medical need to alleviate pain and suffering to obtain and use medical marijuana for that purpose. In 2004, the State legislature enacted implementing legislation for this popular initiative and in 2006, this Board of Supervisors followed suit by setting-up a rigorous permitting process to authorize appropriately licensed distributors of medical marijuana to operate in unincorporated Los Angeles County.

Unfortunately, a number of bad actors have chosen to violate county law and operate marijuana dispensaries without going through the appropriate review mechanisms. County enforcement teams have worked to shut down these operators, but their efforts have often been too slow for the communities we serve. Even worse, some cities within the County have utterly failed to appropriately control illegal dispensaries operating in their jurisdictions. The lawbreakers who operate these illegal facilities have severely harmed our communities and given a bad name to those who

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RIDLEY-THOMAS _____

YAROSLAVSKY Adopt _____

KNABE _____

ANTONOVICH _____

MOLINA _____

seek to comply with the true intent of the Compassionate Use Act.

Separate from the proposed ordinance that is before us, the Board of Supervisors should take decisive action to aggressively shut down the illegal operators. The Board can do this by directing staff to utilize the toughest-available enforcement mechanisms against illegal operators, including imposing fines of up to \$1,000 per day against the operators and / or land lords of illegal marijuana dispensaries.

I, THEREFORE, MOVE that the Board of Supervisors:

1) Direct Regional Planning, County Counsel, and other appropriate Departments to proactively implement at the soonest practicable time, but within 45 days, the County's Title 1 enforcement procedures which could add fines of up to \$1,000 per day levied against illegal operators or the landlords who support them, which fines could start from the first day that a zoning inspection first documents illegal dispensary activity, and could continue until the illegal operation closes or receives the necessary permits, and which fines would be in addition to the county's existing enforcement tools; and,

2) Direct Regional Planning to report back to the Board of Supervisors in ^{Dec 14, 2010.} ~~60~~ days ~~and again in 120 days thereafter regarding~~ a) the number of illegal dispensaries operating in the unincorporated county, b) an enumeration of enforcement actions taken against those operators; and, c) the number of illegal operators that have closed following county enforcement operations.